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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,008	01/31/2001	Sang-hyun Shin	Q62027	2294

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/774,008	Applicant(s) SHIN, SANG-HYUN	
	Examiner Ashok B. Patel	Art Unit 2154	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

NATHAN I. HYUN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See continuation Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

Continuation sheet:

This response after final office action will be entered.

Response to Arguments

Applicant's arguments filed 11/27/2006 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

"Some of the differences between an embodiment of the present invention and the cited reference are as follows:

1) A telephone number is used, whereas the cited reference uses an email address.

2) An IP address is assigned, which is a basis for the IP communication, whereas the cited reference assigns a UIN used to merely identify a user.

3) The IP address server is forced to assign the IP address to the receiving terminal when the IP address is not assigned to the receiving terminal, whereas the cited reference assigns the UIN to a user's email according to a user's request.

Specifically, claim 1 recites:

A method of performing an Internet protocol (IP)-based communication between wireless terminals, the method comprising the steps of:

(a) Receiving a request for an IP address of a second terminal from a first terminal;

(b) upon receipt of the request, **checking whether an IP address corresponding to the second terminal is registered;** and

(c) if the IP address is not registered, assigning an IP address to the second terminal corresponding to information from an IP address server,

wherein the first terminal is a first wireless terminal and the second terminal is second wireless terminal.

Examiner's response:

Examiner would like to explain the reference's teachings by stating the facts present in the reference, step by step, in relation to the arguments presented as well as it's direct relevancy to the claimed limitations as follows.

Mendiola teaches at para.[0111], "[0111] It should be noted that a peculiar situation arises when an electronic invitation is sent to a prospective email-based client by a GSM client. Moreover, using a UIN as the primary means of addressing messages is essential to the efficient exchange of messages between these two client types. As previously described, GSM clients primarily send instant messages by directing them to numeric addresses or GSM mobile phone numbers, not alphanumeric names. In the light of this, it is necessary for GSM clients to embed the email address of the target recipient in the message containing the invitation and route it via the IM server for delivery to the email client. In order to do this, the message is sent to a universal access number, as defined by the carrier, for the processing of email-targeted messages."

Thus, the reference is clear that GSM clients are wireless terminals (**wherein the first terminal is a first wireless terminal and the second terminal is second wireless terminal**). Not only they are wireless clients but, the reference teaches that

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"GSM clients primarily send instant messages by directing them to numeric addresses or GSM mobile phone numbers, **not alphanumeric names.** (1) A telephone number is used)

Further, the reference clearly discloses that "In order to do this **(that is to send an invitation)**, the message is sent to a universal access number, as defined by the carrier, for the processing of email-targeted messages."

Thus, 1) A telephone number is used, whereas an email address of the target recipient is used in the message containing the invitation and route it via the IM server for delivery to the email client.

Mendiola teaches at para. [0096], "It should be noted that although the message despatcher sends the notification back to the prospective user as an email message, it is designed to send the notification back through any access media permitted by the IM system and nominated by the prospective user, eg PC client application, GSM mobile phone internet browser client application, as well as email application."

Mendiola teaches at para. [0116] Step 2; IM server system **assigns a UIN to the target new user and email address of target new user.**

Thus, the assigned UIN is an IP address that GSM mobile phone internet browser client application will use, which is different than their universal access number (GSM phone number) **as defined by the carrier.**

That is why, 2) An IP address is assigned, which is the basis for the IP communication, whereas the cited reference assigns a UIN used not to merely identify a

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user, but to facilitate two wireless devices, incorporating GSM mobile phone internet browser client application, to communicate based on Internet protocol (IP).

Now that Mendiola has taught us that UIN is an IP address, Mendiola teaches at para. {0117] The registration handler 119 of the IM server system 113 causes the UIN assigner to generate a UIN to be assigned and matched to John Smith's email address in the manner previously described. For this illustration, UIN 12125556666 is matched to johnsmith@company.com and is assigned to John Smith as his unique ID for the purpose of handling messages by the IM server system. This mapping will be stored 121 in the user database 123 for future use 125.

[0118] Step 3: Message is sent to the target new user."

Thus, it is clearly disclosed that server is **"checking whether an IP address corresponding to the second terminal is registered"**, and then UIN (IP address) is assigned by the IP address server to the receiving terminal when the IP address is not assigned to the receiving terminal. (This in reference to argument 3) above and the highlighted argument.)